

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,  
SPOKANE TRIBE OF INDIANS,  
Plaintiff/Intervenor,  
v.  
BARBARA J. ANDERSON, et al.,  
Defendants.

No. CV-72-3643-JLQ

ORDER ADOPTING SPECIAL  
MASTER'S REPORT AND  
RECOMMENDATION; APPROVING  
WATER MASTER'S 2011 ANNUAL  
REPORT; CONTINUING WATER  
MASTER SERVICE; AND  
APPROVING COMPENSATION  
AND EXPENSES

This matter was heard on the Special Master's Report and Recommendation (ECF No. 736) following the March 21, 2012 hearing before Special Master Magistrate Judge Cynthia Imbrogno based upon the filing of the Water Master's 2011 Annual Report (October 1, 2010, through September 30, 2011). It appears that the Report and Recommendations are in compliance with the previous directives of this court establishing compensation and expense reimbursements for the Water Master and for payment.

As no objections have been filed, the Special Master's Report and Recommendation is **ADOPTED**.

**IT IS ORDERED:**

1. The 2011 Annual Report of the Water Master, covering the period of

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REPORT; CONTINUING WATER MASTER SERVICE; AND APPROVING  
COMPENSATION AND EXPENSES - 1

1 October 1, 2010, to September 30, 2011, is accepted.

2 2. The Water Master's proposal for the 2011 compensation shall remain the  
3 same as in previous agreements. Specifically, the Water Master's request for  
4 compensation and expenses is approved, consistent with previous agreements (**\$3,740**  
5 **quarterly retainer, and a maximum of \$2,500 for expenses**).

6 3. The Annual Report and fourth quarter billing (July 1, 2011, ending  
7 September 30, 2011), as reflected on page 2 of the Annual Report (total fourth quarter  
8 amount to be billed of **\$4,010.00 (\$3,740 retainer, plus \$270 expenses)**), is approved.

9 4. The attached Notice List is adopted as the current Notice List.<sup>1</sup> The court  
10 notes that Mr. Axtell's mail has been return to the court as undeliverable.

11 The Clerk of the Court shall file this Order Adopting Report and Recommendation  
12 and serve copies of it on Judge Imbrogno and on the parties listed on the most recently  
13 updated Notice List attached to this Order.

14 Dated April 16, 2012.

15 s/ Justin L. Quackenbush  
16 JUSTIN L. QUACKENBUSH  
17 SENIOR UNITED STATES DISTRICT JUDGE  
18  
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23 <sup>1</sup> As neither Ms. Smart nor Mr. Axtell have filed an objection, and the Water  
24 Master reported both Mr. Axtell and Ms. Smart are no longer on the Deed for SW 1/4  
25 of the NE 1/4 of Section 8, T.28N., R.40 E.W.M., their names are removed from the  
26 Notice List. Mr. Harris' name has been added.

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COMPENSATION AND EXPENSES - 2